

**Congress of the United States**  
**House of Representatives**

Washington, DC 20515

August 14, 2003

The Honorable Donald L. Evans  
Secretary of Commerce  
Herbert C. Hoover Building  
14th Street and Constitution Avenue, N.W.  
Washington, D.C. 20230

Dear Mr. Secretary:

We are writing today to reiterate our opposition to the appeal which has been submitted by Islander East, LLC to overturn the October 15, 2002 and July 29, 2003 denials issued by the State of Connecticut Department of Environmental Protection (DEP) regarding the proposed construction of the Islander East Pipeline. As you may know, the pipeline would extend through five Connecticut communities, including Branford, Connecticut, where it would enter the Long Island Sound and continue to Shoreham, New York.

After thorough review, the Connecticut DEP again determined that the project was not consistent with the State's federally approved Coastal Zone Management Program (CZMP). The DEP found that, as proposed, the construction and installation would have negative impacts on water quality, shellfish habitat, water dependant use, and tidal wetlands. In our discussions with the DEP, we have also been informed of their serious concerns with the potential damage that will be caused to the Sound's bottom with the installation of this pipeline.

In addition to the DEP's objections, the Islander East project has also been reviewed by several federal agencies in accordance with the National Environmental Policy Act and the Clean Air Act. To date, both the United States Environmental Protection Agency and the United States Fish and Wildlife Service have expressed numerous concerns with the proposed project.

As the State's regulatory enforcement agency, the Connecticut DEP is best positioned to judge the environmental impact of this project. Their determination of the project's inconsistency with Connecticut's CZMP is, in our view, well reasoned and based on sound environmental considerations. We strongly oppose the construction and installation of the Islander East pipeline and accordingly, urge you to deny Islander East's appeal to overturn the DEP's determination of inconsistency with Connecticut's CZMP.

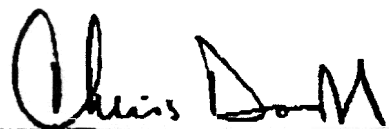
As you may know, this proposed activity has many interested parties, including a number of towns, commissions, non-profit agencies, and grass-roots organizations not to mention the many impacted home and business owners and concerned citizens. It has come to our attention that in their letter of August 1, 2003, Islander East is requesting that the Department of Commerce move forward with the appeals process without holding a public hearing. We believe that all of these parties should have the opportunity to vocalize their concerns to the Department

of Commerce as you consider the appellant's request.

We believe that those most concerned with this proposal would benefit from an open forum which would assure them that the Department of Commerce has heard their voice. Through previous correspondence with your office, we were assured that the Department of Commerce would hold a public hearing in Connecticut. Additionally, following your Department's issuance of a stay, we were assured that, if the Department were to resume processing the appeal, the scheduling of a public hearing would resume as well. We therefore respectfully urge the Department to schedule a public hearing prior to the close of the public comment period.

We appreciate your consideration of this matter and ask that you notify our offices when the General Council's office determines the schedule for this appeal.

Sincerely,



CHRISTOPHER J. DODD  
U.S. Senate



JOSEPH I. LIEBERMAN  
U.S. Senate



ROSA L. DeLAURO  
Member of Congress



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

SEP - 2

The Honorable Rosa L. DeLauro  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Representative DeLauro:

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

Your letter reiterates opposition to both Islander East's appeal and proposed project, and also urges the Department to proceed with previously announced plans to conduct a public hearing for the appeal. We will add your letter to the administrative record so that it fully reflects your views concerning the proposed project. Further, be assured that NOAA is resuming efforts to schedule a public hearing at a location in Connecticut. Earlier this month we advised the parties to this effect and also provided the public with notice in a recent Federal Register announcement (copy enclosed). Scheduling information and related details will be available at least 30 days prior to the hearing. As you requested, we will provide your office with this information.

Thank you again for your interest in this important matter.

Sincerely,

A handwritten signature in cursive script, reading "James R. Walpole", is written over the typed name.

James R. Walpole  
General Counsel

Enclosure





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

SEP - 2 2002

The Honorable Christopher J. Dodd  
United States Senate  
Washington, D.C. 20510

Dear Senator Dodd:

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

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James R. Walpole  
General Counsel

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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

SEP -2 2002

The Honorable Joseph I. Lieberman  
United States Senate  
Washington, D.C. 20510

Dear Senator Lieberman

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

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